

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

FRANCIS ELIAS AXIAQ,

Defendant.

No. C 08-04637 CRB

**ORDER RE: SCHEDULING OF
SUMMARY JUDGMENT MOTION
HEARING**

Now pending before the Court is an ex parte application of Plaintiff SEC to consolidate the summary judgment motion hearing, currently set for September 18, 2009, and the pretrial conference, currently set for September 24, 2009, so that both take place on September 24, 2009. The Court, having carefully reviewed Plaintiff's application and Defendant's opposition thereto, hereby DENIES Plaintiff's application. The summary judgment motion hearing shall go forward as currently scheduled.

IT IS SO ORDERED.

Dated: September 8, 2009



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE